

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. **(currently amended):** A transgenic bird which is obtained as a G1 transgenic bird or an offspring thereof by: incubating a fertilized avian egg,

a) microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein,

b) allowing the egg to hatch out to thereby obtain a G0 transgenic chimeric bird, and

c) mating the G0 transgenic chimeric bird with another G0 transgenic chimeric bird or an offspring thereof or with a wild-type bird,

wherein the ~~replication-deficient retroviral vector is derived from Moloney murine leukemia virus~~early embryo is at least 24 hours after the start of incubation.

2. **(canceled).**

3. **(original):** The transgenic bird according to Claim 2

wherein the early embryo is at least 48 hours after the start of incubation.

4. **(previously presented):** The transgenic bird according to Claim 1

wherein the desired protein is an antibody.

5. (previously presented): The transgenic bird according to Claim 1

wherein the bird is a chicken or a quail.

6. (previously presented): A transgenic bird

which is a G2 transgenic bird or an offspring thereof obtained by mating the G1 transgenic bird according to Claim 1 with a G0 transgenic bird, another G1 transgenic bird or an offspring thereof, or with a wild-type bird.

7. (withdrawn): A method for constructing a G1 transgenic bird

which comprises incubating a fertilized avian egg,

- a) microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein,
- b) allowing the egg to hatch out to thereby obtain a G0 transgenic chimeric bird, and
- c) mating the G0 transgenic chimeric bird with another G0 transgenic chimeric bird or an offspring thereof or with a wild-type bird.

8. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the early embryo is at least 24 hours after the start of incubation.

9. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 8

wherein the early embryo is at least 48 hours after the start of incubation.

10. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the desired protein is an antibody.

11. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the bird is a chicken or a quail.

12. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

which comprises microinjecting a replication-deficient retroviral vector having a titer of
not lower than 1×10^7 cfu/ml.

13. (withdrawn): The method for constructing a transgenic bird according to Claim 12

which comprises microinjecting a replication-deficient retroviral vector having a titer of not lower than 1×10^9 cfu/ml.

14. (withdrawn): A method for constructing a transgenic bird which comprises mating the G1 transgenic bird according to Claim 1 with a G0 transgenic bird, another G1 transgenic bird or an offspring thereof or with a wild-type bird to construct a G2 transgenic bird or an offspring thereof.

15. (withdrawn): A method for producing a protein which comprises extracting a desired protein from somatic cells, blood or eggs from a transgenic bird constructed by the method according to Claim 7.

16. (withdrawn): A method for sorting out a reproductive lineage transgenic chimeric bird

which comprises collecting sperm samples from transgenic birds according to Claim 1 and testing them for the gene in the sperm.

17. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the replication-deficient retroviral vector is a vector derived from Moloney murine leukemia virus.

18. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the replication-deficient retroviral vector is VSV-G pseudotyped.

19. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 7

wherein the replication-deficient retroviral vector contains a non-retrovirus-derived gene.

20. **(withdrawn):** The method for constructing a transgenic bird according to

Claim 19

wherein the non-retrovirus-derived gene is controlled under the chicken β -actin promoter.

- 21. (withdrawn):** The method for constructing a transgenic bird according to

Claim 19

wherein the non-retrovirus-derived gene codes an antibody.

- 22. (withdrawn):** The method for constructing a transgenic bird according to

Claim 21

wherein the antibody is a chimeric antibody.

- 23. (withdrawn):** The method for constructing a transgenic bird according to

Claim 22

wherein the chimeric antibody is scFv-Fc antibody.

- 24. (canceled).**

- 25. (currently amended):** An egg laid by the transgenic bird according to Claim 1

which contains not lower than 1 mg/~~100-egg~~ of the desired protein.

- 26. (currently amended):** An egg laid by the transgenic bird according to Claim 1

which contains not lower than 20 mg/~~100-egg~~ of the desired protein.

27. (currently amended): An egg laid by the transgenic bird according to Claim 1 which contains not lower than 100 mg/~~100~~-egg of the desired protein.

28. (withdrawn): A method for sorting out a reproductive lineage transgenic chimeric bird which comprises incubating a fertilized avian egg, microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein and confirming the gene coding for the desired protein in the sperm of the male G0 transgenic bird obtained by hatching.

29. (withdrawn): A method for sorting out a transgenic bird which comprises confirming the expression of the desired protein in the blood of the transgenic bird according to Claim 1.

30. (withdrawn): A method for sorting out a G0 transgenic chimeric bird which comprises incubating a fertilized avian egg, microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein and confirming the expression of the desired protein in the blood of the G0 transgenic bird obtained by hatching.